

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

LARITZA BERRIOS LOPEZ, et als.,

Plaintiffs

CIVIL NO. 01-2425(DRD)

v.

BAXTER HEALTHCARE CORP.,

Defendant

O R D E R

After the Court speaking with Mr. Sol Schreiber, Esq., chosen mediator for the instant case, Mr. Schreiber accepted as the Court designated mediator. Mr. Schreiber's fee is Four Hundred Dollars (\$400.00) per hour (reduced at his own volition from Six Hundred Dollars (\$600.00) per hour), and estimates the mediation will entail two (2) to three (3) meetings in addition to preparation time. The Court suggests meetings in New York City to curtail travel expenses of the mediator. The parties are to, thus, communicate with Mr. Schreiber in order to schedule mediation proceedings. Finally the Court orders **each** party to deposit the amount of Five Thousand Dollars (\$5,000.00) in Court in order for the commencement of mediation proceedings.

The Court finds the amount of \$10,000.00 reasonable at this moment in the proceedings. However, if settlement has not been reached, but the parties are close to an agreement, thus, the need for the mediator to extend his hours beyond the estimated time, all parties shall, once again, deposit equal amounts of money in Court to be determined by the Court. Once settlement is reached and the mediator's services are no longer needed, all remnant amounts of money shall be divided in equal parts amongst the parties.

The parties are to provide the mediator with all documents needed to place the mediator in proper position to effectively perform his task. The mediator is to provide the oath required under the Local Rules of this District Court (the Court shall provide the form). The Court expects mediation to be concluded by early September 2005.

The **Clerk shall send notice** of this Order electronically to Mr. Sol Schreiber at:

sschreiber@milbergweiss.com

IT IS SO ORDERED.

Date: July 26, 2004

S/ Daniel R. Dominguez

DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE